disputes and sets forth rules making its benefits unavailable to residents that are engaged in treaty shopping.

I recommend that the Senate give early and favorable consideration to this Convention and that the Senate give its advice and consent to ratification.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *June 26, 1998*.

ORDER FOR RECORD TO REMAIN OPEN

Mr. LOTT. Mr. President, I ask unanimous consent the RECORD remain open until 3 p.m. today in order for Senators to introduce legislation and statements.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMENDING THE LIBRARY OF CONGRESS FOR 200 YEARS OF OUTSTANDING SERVICE

Mr. LOTT. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of Senate Resolution 255, submitted earlier today by Senators WARNER, FORD, STEVENS, and MOYNIHAN.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 255) to commend the Library of Congress for 200 years of outstanding service to Congress and the Nation, and to encourage activities to commemorate the bicentennial anniversary of the Library of Congress.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. LOTT. I ask unanimous consent the resolution be agreed, the preamble be agreed to, a motion to consider be laid upon the table, and a statement of explanation appear in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 255) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 255

Whereas the Library of Congress was established in 1800 and will celebrate the 200th anniversary of the Library of Congress in 2000;

Whereas the goal of the bicentennial commemoration is to inspire creativity in the century ahead and ensure a free society through greater use of the Library of Congress and libraries everywhere;

Whereas the bicentennial goal will be achieved through a variety of national, State, and local projects, developed in collaboration with the offices of the Members of Congress, the staff of the Library of Congress, and special advisory committees; and

Whereas the bicentennial commemorative activities include significant acquisitions, symposia, exhibits, issuance of a commemorative coin, and enhanced public access to the collections of the Library of Congress through the National Digital Library: Now, therefore, be it

Resolved, That the Senate commends the Library of Congress on 200 years of service to Congress and the Nation, and encourages the American public to participate in activities to commemorate the bicentennial anniversary of the Library of Congress.

NEXT GENERATION INTERNET RESEARCH ACT OF 1998

Mr. LOTT. Mr. President, I ask unanimous consent the Senate now proceed to the consideration of Calendar No. 334, S. 1609.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1609) to amend the High-Performance Computing Act of 1991 to authorize appropriations for fiscal years 1999 and 2000 for the Next Generation Internet program, to require the Advisory Committee on High-Performance Computing and Communications, Information Technology, and the Next Generation Internet to monitor and give advice concerning the development and implementation of the Next Generation Internet program and report to the President and the Congress on its activities, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

AMENDMENT NO. 3054

(Purpose: To change the authorization levels for the Department of Defense and the National Aeronautics and Space Administration, and to provide that the FY 1999 DOD authorization is under the National Defense Authorization Act for Fiscal Year 1999)

Mr. LOTT. Senators FRIST and ROCKEFELLER have an amendment at the desk and I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Mississippi [Mr. LOTT], for Mr. FRIST, for himself, and Mr. ROCKEFELLER, proposes an amendment numbered 3054.

Mr. LOTT. I ask unanimous consent reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 9, in the matter appearing after line 18—

(1) strike ''$42,500,000'' in the column headed FY 1999 and insert ''$40,000,000'';

(2) strike ''$45,000,000'' in the column headed FY 2000 and insert ''$42,500,000'';

(3) strike ''$5,000,000'' in the column headed FY 1999 the second place it appears and insert ''$10,000,000'';

(4) strike ''$5,000,000'' in the column headed FY 2000 and insert ''$10,000,000'';

(5) strike the closing quotation marks at the end of the table; and

(6) after the table insert the following:

The amount authorized for the Department of Defense for fiscal year 1999 under this section shall be the amount authorized pursuant to the National Defense Authorization Act for Fiscal Year 1999.''.

Mr. LOTT. I ask unanimous consent the amendment be considered as read and agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 3054) was agreed to.

AMENDMENT NO. 3055

(Purpose: To authorize the comprehensive independent study of the effects on trademark and intellectual property rights holders of adding new generic top-level domains and related dispute resolution procedures.)

Mr. LOTT. I ask unanimous consent that the Senate proceed to the consideration of an amendment offered by Senators LEAHY and ASHCROFT, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Mississippi [Mr. LOTT], for Mr. LEAHY, for himself, and Mr. ASHCROFT, proposes an amendment numbered 3055.

The amendment is as follows:

At the appropriate place in the bill, insert the following new section:

SEC. ____. STUDY OF EFFECTS ON TRADEMARKS AND INTELLECTUAL PROPERTY RIGHTS OF ADDING GENERIC TOP-LEVEL DOMAINS.

(a) STUDY BY NATIONAL RESEARCH COUNCIL.—Not later than 60 days after the date of enactment of this Act, the Secretary of Commerce shall request the National Research Council of the National Academy of Sciences to conduct a comprehensive study, taking into account the diverse needs of domestic and international Internet users, of the short-term and long-term effects on trademark and intellectual property rights holders of adding new generic top-level domains and related dispute resolution procedures.

(b) MATTERS TO BE ASSESSED IN STUDY.—The study shall assess and, as appropriate, make recommendations for policy, practice, or legislative changes relating to—

(1) the short-term and long-term effects on the protection of trademark and intellectual property rights and consumer interests of increasing or decreasing the number of generic top-level domains;

(2) trademark and intellectual property rights clearance processes for domain names, including—

(A) whether domain name databases should be readily searchable through a common interface to facilitate the clearing of trademarks and intellectual property rights and proposed domain names across a range of generic top-level domains;

(B) the identification of what information from domain name databases should be accessible for the clearing of trademarks and intellectual property rights; and

(C) whether generic top-level domain registrants should be required to provide certain information;

(3) domain name trademark and intellectual property rights dispute resolution mechanisms, including how to—

(A) reduce trademark and intellectual property rights conflicts associated with the addition of any new generic top-level domains; and

(B) reduce trademark and intellectual property rights conflicts through new technical approaches to Internet addressing;

(4) choice of law or jurisdiction for resolution of trademark and intellectual property

rights disputes relating to domain names, including which jurisdictions should be available for trademark and intellectual property rights owners to file suit to protect such trademarks and intellectual property rights;

(5) trademark and intellectual property rights infringement liability for registrars, registries, or technical management bodies; and

(6) short-term and long-term technical and policy options for Internet addressing schemes and the impact of such options on current trademark and intellectual property rights issues.

(c) COOPERATION WITH STUDY.—

(1) INTERAGENCY COOPERATION.—The Secretary of Commerce shall—

(A) direct the Patent and Trademark Office, the National Telecommunications and Information Administration, and other Department of Commerce entities to cooperate fully with the National Research Council in its activities in carrying out the study under this section; and

(B) request all other appropriate Federal departments, Federal agencies, Government contractors, and similar entities to provide similar cooperation to the National Research Council.

(2) PRIVATE CORPORATION COOPERATION.—The Secretary of Commerce shall request that any private, not-for-profit corporation established to manage the Internet root server system and the top-level domain names provide similar cooperation to the National Research Council.

(d) REPORT.—

(1) IN GENERAL.—Not later than 12 months after the date of enactment of this Act, the National Research Council shall complete the study under this section and submit a report on the study to the Secretary of Commerce. The report shall set forth the findings, conclusions, and recommendations of the Council concerning the effects of adding new generic top-level domains and related dispute resolution procedures on trademark and intellectual property rights holders.

(2) SUBMISSION TO CONGRESSIONAL COMMITTEES.—Not later than 30 days after the date on which the report is submitted to the Secretary of Commerce, the Secretary shall submit the report to the Committees on Commerce and the Committees on the Judiciary of the Senate and House of Representatives.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $800,000 for the study conducted under this Act.

Mr. LEAHY. Mr. President, from its origins as a U.S.-based research vehicle, the Internet has matured into a democratic, international medium for communication, commerce and education. As the Internet evolves, the traditional means of organizing its technical functions such as the Domain Name System (DNS) need to evolve as well.

It is for this reason, in part, that I viewed S.1609, legislation to authorize the Next Generation Internet (NGI) program, as the appropriate vehicle for my domain name amendment. This amendment is based on S.1727, legislation I introduced on March 6 to authorize the National Research Council (NRC) of the National Academy of Sciences to conduct a comprehensive study of the effects on trademark and intellectual property rights holders of adding new generic top level domain names (gTLDs), and related dispute resolution procedures.

At the outset, I would like to thank Senator ASHCROFT, who is a cosponsor of this domain name amendment to S. 1609 as well as a cosponsor of my original domain name bill, S.1727. I would also like to thank Senators ROCKEFELLER, FRIST, HOLLINGS and MCCAIN who enabled this domain name amendment to be considered along with S.1609.

On today's Internet, the domain name system (DNS) works through a hierarchy of names. At the top of this hierarchy are a set of Top Level Domains that can be classified into two categories: generic Top Level Domains (gTLD), such as ''.gov,'' ''.net,'' ''.com,'' ''.edu,'' ''.org,'' ''.int,'' and ''.mil,'' and the country code Top Level Domain names, such as ''.us'' and ''.uk''. Before each TLD suffix, is a Second Level Domain name.

Since the Internet is an outgrowth of U.S. government investments carried out under agreements with U.S. agencies, major components of the DNS are still performed by or subject to agreements with U.S. agencies. Examples include assignments of numerical addresses to Internet users, management of the system of registering names for Internet users, operation of the root server system, and protocol assignment.

For the past five years, a company based in Herndon, Virginia, named Network Solutions, Inc., has served under a cooperative agreement with the National Science Foundation as the exclusive registry of all second level domain names in several of the gTLDs (e.g., .com, .net, .org, and .edu). This contract ended in March 1998, but the Federal Government has exercised an optional ramp-down period that is scheduled to expire in September 1998. With this date quickly approaching, many of us have been concerned about what would happen at the end of that company's exclusive contract. Simply put, how will we avoid chaos on the Internet and the potential risk of multiple registrations of the same domain name for different computers?

On January 30, 1998, the Commerce Department released a ''Green Paper'', or discussion draft, entitled A Proposal to Improve Technical Management of Internet Names and Addresses, proposing privatization of the management of the DNS through the creation of a new, not-for-profit corporation. The Green Paper suggested that during the period of transition to this new, not-for-profit corporation, the U.S. Government, in cooperation with IANA, would undertake a process to add up to five new gTLDs to the DNS.

Although adding new gTLDs, as the Green Paper proposed, would allow more competition and more individuals and businesses to obtain addresses that more closely reflect their names and functions, I was concerned as were many businesses, that the increase in gTLDs would make the job of protecting their trademarks from infringement or dilution more difficult. In addition, increasing the number of gTLDs without an efficient dispute resolution mechanism had the potential of fueling litigation and the threat of litigation, with an overall chilling effect on the choice and use of domain names.

The Green Paper properly raised the important questions of how to protect consumers' interests in locating the brand or vendor of their choice on the Internet without being deceived or confused, how to protect companies from having their brand equity diluted in an electronic environment, and how to resolve disputes efficiently and inexpensively. It did not, however, answer these complex and important questions. Dictating the introduction of new gTLDs without analyzing the impact that these new gTLDs would have on trademark and intellectual property rights holders and related dispute resolution procedures seemed like putting the cart before the horse.

The bill that I introduced, S. 1727, was intended to get the horse back in front of the cart. It directs the Secretary of Commerce to request the National Research Council (NRC) of the National Academy of Sciences to conduct a comprehensive study of the effects on trademark and intellectual property rights holders of adding new gTLDs and related dispute resolution procedures. The study shall assess and, as appropriate, make recommendations for policy, practice, or legislative changes regarding:

(1) the short-term and long-term effects on the protection of trademark and intellectual property rights and consumer interests of increasing or decreasing the number of gTLDs;

(2) trademark and intellectual property rights clearance processes for domain names, including whether domain name databases should be readily searchable through a common interface to facilitate the ''clearing'' of trademarks and intellectual property rights and proposed domain names across a range of gTLDs; identifying what information from domain name databases should be accessible for the ''clearing'' of trademarks and intellectual property rights; and whether gTLDs registrants should be required to provide certain information;

(3) domain name trademark and intellectual property rights dispute resolution mechanisms, including how to reduce trademark and intellectual property rights conflicts associated with the addition of any new gTLDs and how to reduce trademark and intellectual property rights conflicts through new technical approaches to Internet addressing;

(4) choice of law or jurisdiction for resolution of trademark and intellectual property rights disputes relating to domain names, including which jurisdictions should be available for trademark and intellectual property rights owners to file suit to protect their trademarks and intellectual property rights;

(5) trademark and intellectual property rights infringement liability for

registrars, registries, or technical management bodies; and

(6) short-term and long-term technical and policy options for Internet addressing schemes and their impact on current trademark and intellectual property issues.

We should understand the effects on trademark and intellectual property rights holders of adding new gTLDs and related dispute resolution procedures before we move to quickly to add significant numbers of new gTLDs. Since its introduction in March, groups such as ATT, Bell Atlantic, Time WARNER, the International Trademark Association, and the American Intellectual Property Law Association, have endorsed this legislation reflected in the Leahy-Ashcroft amendment.

The Administration's White Paper, released on June 5, acknowledges the concerns to be addressed in the study called for in this legislation. The White Paper backed off the Green Paper's earlier suggestion to add five new gTLDs. Instead, the White Paper proposes that the new corporation would be the most appropriate body to make decisions as to how many, if any, new gTLDs should be added once it has global input, including from the study called for in the Leahy-Ashcroft domain name amendment. Specifically, the White Paper calls upon the World Intellectual Property Organization, inter alia, to ''evaluate the effects, based on studies conducted by independent organizations, such as the National Research Council of the National Academy of Sciences, of adding new gTLDs and related dispute resolution procedures on trademark and intellectual property holders.''

I commend the Administration for the deliberate approach it has taken to facilitate the withdrawal of the U.S. government from the governance of the Internet and to privatize the management of Internet names and addresses. We should have a Hippocratic Oath for the Internet—that before we adopt any new regimen that affects the Internet, we should make sure we are doing no harm to this dynamic medium.

We, in Congress, have not always lived up to the standard of this oath. Passage by an overwhelming vote of the unconstitutional Communications Decency Act to regulate constitutionally-protected online speech on the Internet is an example of wrong-headed legislation that Congress still has not lived down. Internet users generally remain skeptical about the heavy-headed regulatory actions Congress may take based on bumper-sticker politics.

The experience of the Communications Decency Act demonstrates that we should exercise caution in passing new laws for the Internet. This is a global phenomenon and its freedom from regulation has been primarily responsible for its explosive growth. This principle is important as we see increasingly intense disputes over whether or how to regulate this medium. Encouraging free markets and private sector self-regulatory approaches is a particularly American approach.

The best way to ''export'' our core American values, to preserve the free flow of commerce and individual expression and community self-governance on the Internet, is not to declare the Internet a U.S. territory. Rather, we should be seeking to support the growth of the Internet's own self-ordering properties, and fostering mechanisms by which policy will be set by groups accountable to all Internet participants on a global basis. If we succeed in creating a decentralized and truly global policy-making apparatus for the Internet, the core values we care most about will in fact propagate across the world.

On a number of issues pertaining to the Internet, from privacy to pornography to online gambling, governments are more and more faced with the question of when to defer to effective private action, rather than regulating in detail in the first instance. The Internet community is rapidly developing new technologies and practices that may well solve many of these new ''public policy'' problems before we can even begin effectively to debate them. For example, new labels for web sites will let users know which sites have privacy policies or content they can accept. New software standards will even allow the automated negotiation of privacy or content preferences. Other technologies will allow end users to control what information their web browsers surrender to the sites they visit. And many new types of filters and private sector practices are being deployed to bring the vice of unsolicited commercial E-mail (spam) under control.

I fully appreciate that we have some way to go before governments can declare the private sector self-governance mechanisms of the Internet adequate to solve the complex and multi-faceted problems of online privacy or protecting children from inappropriate material. But progress is being made every day, at a rapid pace, thanks to the ingenuity of engineers and concerted actions of public interest advocates and system operators.

We should be trying to persuade other countries to see the virtues of free enterprise and community self-governance. We can demonstrate by means of the sheer success of electronic commerce, unconstrained by heavy-handed top down regulation, that those who allow the market to work will be richly rewarded. We can develop new technological means and online trade practices to solve the new public policy problems of the Internet—demonstrating in the process that it is best to let those with the greatest stake in solving those problems and in building online commerce and community to attempt to do so in the first instance. We can show that diversity works best to fit individual needs to community rules—by allowing a diverse Internet to flourish and using filters and education and navigational aids to help everyone make sure they only go where they want to go and only deal with those they are prepared to trust.

We can, in short, spread the American faith in liberty and the pursuit of happiness by avoiding the futile, top-down lawmaking other countries are so fond of—and by demonstrating that an unconstrained Internet will form its own new kind of order and become the best kind of online place for those who participate there. That kind of American leadership cannot be justly accused of being a new form of imperialism. We'll make converts to our values one at a time, throughout the world, by showing the path to greater wealth, and the virtues of greater freedom, by example. And we'll be better able to resist counterproductive local regulation by other countries if we can show that we are not attempting to impose rules of our own on others without their consent.

As we debate new bills that directly or indirectly regulate the Internet and impose U.S. laws on a global medium, we should remember our core values, and try to export those values—free speech, freedom to associate, freedom of the press—to the rest of the world via the Internet. But the most effective way to do so is by the leadership of our example. By inviting Internet stakeholders to work together and form a new, private, not-for-profit corporation to manage the domain name and addressing system so critical to the governance of the Internet, the Administration has set an excellent example, and I commend them for it.

Mr. LOTT. I ask unanimous consent the amendment be agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 3055) was agreed to.

Mr. LOTT. Mr. President, I ask unanimous consent that the bill be read the third time and passed, as amended, the motion to reconsider be laid upon the table, and any statements related to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1609), as amended, was read the third time and passed, as follows:

S. 1609

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Next Generation Internet Research Act of 1998''.

SEC. 2. DEFINITIONS.

(a) TERMS USED IN THIS ACT.—For purposes of this Act—

(1) INTERNET.—The term ''Internet'' has the meaning given such term by section 230(e)(1) of the Communications Act of 1934 (47 U.S.C. 230(e)(1)).

(2) GEOGRAPHIC PENALTY.—The term ''geographic penalty'' means the imposition of costs on users of the Internet in rural or other locations attributable to the distance of the user from network facilities, the low

population density of the area in which the user is located, or other factors, that are disproportionately greater than the costs imposed on users in locations closer to such facilities or on users in locations with significantly greater population density.

(b) DEFINITION OF NETWORK IN HIGH-PERFORMANCE COMPUTING ACT OF 1991.—Paragraph (4) of section 4 of the High-Performance Computing Act of 1991 (15 U.S.C. 5503) is amended by striking ''network referred to as the National Research and Education Network established under section 102; and'' and inserting ''network, including advanced computer networks of Federal agencies and departments; and''.

SEC. 3. FINDINGS.

(a) IN GENERAL.—The Congress finds that—

(1) United States leadership in science and technology has been vital to the Nation's prosperity, national and economic security, and international competitiveness, and there is every reason to believe that maintaining this tradition will lead to long-term continuation of United States strategic advantages in information technology;

(2) the United States' investment in science and technology has yielded a scientific and engineering enterprise without peer, and that Federal investment in research is critical to the maintenance of United States leadership;

(3) previous Federal investment in computer networking technology and related fields has resulted in the creation of new industries and new jobs in the United States;

(4) the Internet is playing an increasingly important role in keeping citizens informed of the actions of their government; and

(5) continued inter-agency cooperation is necessary to avoid wasteful duplication in Federal networking research and development programs.

(b) ADDITIONAL FINDINGS FOR THE 1991 ACT.—Section 2 of the High-Performance Computing Act of 1991 (15 U.S.C. 5501) is amended by—

(1) striking paragraph (4) and inserting the following:

''(4) A high-capacity, flexible, high-speed national research and education computer network is needed to provide researchers and educators with access to computational and information resources, act as a test bed for further research and development for high-capacity and high-speed computer networks, and provide researchers the necessary vehicle for continued network technology improvement through research.''; and

(2) adding at the end thereof the following:

''(7) Additional research must be undertaken to lay the foundation for the development of new applications that can result in economic growth, improved health care, and improved educational opportunities.

''(8) Research in new networking technologies holds the promise of easing the economic burdens of information access disproportionately borne by rural users of the Internet.

''(9) Information security is an important part of computing, information, and communications systems and applications, and research into security architectures is a critical aspect of computing, information, and communications research programs.''.

SEC. 4. PURPOSES.

(a) IN GENERAL.—The purposes of this Act are—

(1) to serve as the first authorization in a series of computing, information, and communication technology initiatives outlines in the High-Performance Computing Act of 1991 (15 U.S.C. 5501 et seq.) that will include research programs related to—

(A) high-end computing and computation;

(B) human-centered systems;

(C) high confidence systems; and

(D) education, training, and human resources; and

(2) to provide for the development and coordination of a comprehensive and integrated United States research program which will—

(A) focus on the research and development of a coordinated set of technologies that seeks to create a network infrastructure that can support greater speed, robustness, and flexibility than is currently available and promote connectivity and interoperability among advanced computer networks of Federal agencies and departments;

(B) focus on research in technology that may result in high-speed data access for users that is both economically viable and does not impose a geographic penalty; and

(C) encourage researchers to pursue approaches to networking technology that lead to maximally flexible and extensible solutions wherever feasible.

(b) MODIFICATION OF PURPOSES OF THE 1991 ACT.—Section 3 of the High-Performance Computing Act of 1991 (15 U.S.C. 5502) is amended by—

(1) striking the section caption and inserting the following:

''SEC. 3. PURPOSES.'';

(2) striking ''purpose of this Act is'' and inserting ''purposes of this Act are'';

(3) striking ''universities; and'' in paragraph (1)(I) and inserting ''universities;'';

(4) striking ''efforts.'' in paragraph (2) and inserting ''network research and development programs;''; and

(5) adding at the end thereof the following:

''(3) promoting the further development of an information infrastructure of information stores, services, access mechanisms, and research facilities available for use through the Internet;

''(4) promoting the more rapid development and wider distribution of networking management and development tools; and

''(5) promoting the rapid adoption of open network standards.''.

SEC. 5. DUTIES OF ADVISORY COMMITTEE.

Title I of the High-Performance Computing Act of 1991 (15 U.S.C 5511 et seq.) is amended by adding at the end thereof the following:

''SEC. 103. ADVISORY COMMITTEE.

''(a) IN GENERAL.—In addition to its functions under Executive Order 13035 (62 F.R. 7231), the Advisory Committee on High-Performance Computing and Communications, Information Technology, and the Next Generation Internet, established by Executive Order No. 13035 of February 11, 1997 (62 F.R. 7231) shall—

''(1) assess the extent to which the Next Generation Internet program—

''(A) carries out the purposes of this Act;

''(B) addresses concerns relating to, among other matters—

''(i) geographic penalties (as defined in section 2(2) of the Next Generation Internet Research Act of 1998); and

''(ii) technology transfer to and from the private sector; and

''(2) assess the extent to which—

''(A) the role of each Federal agency and department involved in implementing the Next Generation Internet program is clear, complementary to and non-duplicative of the roles of other participating agencies and departments; and

''(B) each such agency and department concurs with the rule of each other participating agency or department.

''(b) REPORTS.—The Advisory Committee shall assess implementation of the Next Generation Internet initiative and report, not less frequently than annually, to the President, the United States Senate Committee on Commerce, Science, and Transportation, and the United States House of Representatives Committee on Science on its findings for the preceding fiscal year. The first such report shall be submitted 6 months after the date of enactment of the Next Generation Internet Research Act of 1998 the last report shall be submitted by September 30, 2000.''.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

Title I of the High-Performance Computing Act of 1991 (15 U.S.C 5511 et seq.), as amended by section 5 of this Act, is amended by adding at the end thereof the following:

''SEC. 104. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated for the purpose of carrying out the Next Generation Internet program the following amounts:

''Agency	FY 1999	FY 2000
''Department of Defense	$40,000,000	$42,500,000
''Department of Energy	$20,000,000	$25,000,000
''National Science Foundation	$25,000,000	$25,000,000
''National Institutes of Health	$5,000,000	$7,500,000
''National Aeronautics and Space Administration	$10,000,000	$10,000,000
''National Institute of Standards and Technology	$5,000,000	$7,500,000.

The amount authorized for the Department of Defense for fiscal year 1999 under this section shall be the amount authorized pursuant to the National Defense Authorization Act for Fiscal Year 1999.''.

SEC. 7. STUDY OF EFFECTS ON TRADEMARKS AND INTELLECTUAL PROPERTY RIGHTS OF ADDING GENERIC TOP-LEVEL DOMAINS.

(a) STUDY BY NATIONAL RESEARCH COUNCIL.—Not later than 60 days after the date of enactment of this Act, the Secretary of Commerce shall request the National Research Council of the National Academy of Sciences to conduct a comprehensive study, taking into account the diverse needs of domestic and international Internet users, of the short-term and long-term effects on trademark and intellectual property rights holders of adding new generic top-level domains and related dispute resolution procedures.

(b) MATTERS TO BE ASSESSED IN STUDY.—The study shall assess and, as appropriate, make recommendations for policy, practice, or legislative changes relating to—

(1) the short-term and long-term effects on the protection of trademark and intellectual property rights and consumer interests of increasing or decreasing the number of generic top-level domains;

(2) trademark and intellectual property rights clearance processes for domain names, including—

(A) whether domain name databases should be readily searchable through a common interface to facilitate the clearing of trademarks and intellectual property rights and proposed domain names across a range of generic top-level domains;

(B) the identification of what information from domain name databases should be accessible for the clearing of trademarks and intellectual property rights; and

(C) whether generic top-level domain registrants should be required to provide certain information;

(3) domain name trademark and intellectual property rights dispute resolution mechanisms, including how to—

(A) reduce trademark and intellectual property rights conflicts associated with the addition of any new generic top-level domains; and

(B) reduce trademark and intellectual property rights conflicts through new technical approaches to Internet addressing;

(4) choice of law or jurisdiction for resolution of trademark and intellectual property

rights disputes relating to domain names, including which jurisdictions should be available for trademark and intellectual property rights owners to file suit to protect such trademarks and intellectual property rights;

(5) trademark and intellectual property rights infringement liability for registrars, registries, or technical management bodies; and

(6) short-term and long-term technical and policy options for Internet addressing schemes and the impact of such options on current trademark and intellectual property rights issues.

(c) COOPERATION WITH STUDY.—

(1) INTERAGENCY COOPERATION.—The Secretary of Commerce shall—

(A) direct the Patent and Trademark Office, the National Telecommunications and Information Administration, and other Department of Commerce entities to cooperate fully with the National Research Council in its activities in carrying out the study under this section; and

(B) request all other appropriate Federal departments, Federal agencies, Government contractors, and similar entities to provide similar cooperation to the National Research Council.

(2) PRIVATE CORPORATION COOPERATION.—The Secretary of Commerce shall request that any private, not-for-profit corporation established to manage the Internet root server system and the top-level domain names provide similar cooperation to the National Research Council.

(d) REPORT.—

(1) IN GENERAL.—Not later than 12 months after the date of enactment of this Act, the National Research Council shall complete the study under this section and submit a report on the study to the Secretary of Commerce. The report shall set forth the findings, conclusions, and recommendations of the Council concerning the effects of adding new generic top-level domains and related dispute resolution procedures on trademark and intellectual property rights holders.

(2) SUBMISSION TO CONGRESSIONAL COMMITTEES.—Not later than 30 days after the date on which the report is submitted to the Secretary of Commerce, the Secretary shall submit the report to the Committees on Commerce and the Committees on the Judiciary of the Senate and House of Representatives.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $800,000 for the study conducted under this Act.

Mr. LOTT. Mr. President, I will go to the closing script now, unless there are any other issues pending. When I get to the close of this, we will have a final speaker today, Senator GORTON, and I appreciate his patience.

ORDERS FOR MONDAY, JULY 6, 1998

Mr. LOTT. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment under the provisions of S. Con. Res. 297. I further ask that when the Senate reconvenes on Monday, July 6 at 12 noon, immediately following the prayer, the routine requests through the morning hour be granted and the Senate then begin a period of morning business until 1 p.m., with Senators permitted to speak therein for up to 5 minutes each with the following exceptions: Senator LIEBERMAN, 30 minutes; Senator LOTT, or his designee, 30 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. LOTT. For the information of all Senators, when the Senate reconvenes on Monday, July 6, at 12 noon, there will be a period for morning business until 1. Following morning business, it will be my intention for the Senate to begin consideration of the VA/HUD Appropriations bill. I had earlier indicated that we might go directly to the Department of Defense Appropriations bill, but one of the managers will be necessarily absent. So we will go to the VA/HUD appropriations bill. It is hoped that Members will come to the floor during Monday's session to offer and debate amendments to the VA/HUD bill. We need to get a number of appropriations bills done in July, and if we could get this one done, working on Monday and Tuesday of that week—certainly not more than Thursday—that would be helpful. There will be no votes, though, during Monday's session.

Any votes ordered with respect to the VA/HUD Appropriations bill will be postponed to occur on Tuesday, July 7, at a time to be determined by the two leaders. A cloture motion was filed on the motion to proceed to the products liability bill, with a vote to occur Tuesday morning at 9:30 a.m. Also, on Tuesday evening, the Senate may vote on the IRS reform conference report. When I say Tuesday evening, I mean probably night.

Finally, I remind all Members that July will be a very busy month. We will have late night sessions during each week. We should expect to have votes on most Mondays and Fridays. The cooperation of all Members will be necessary for us to complete our work prior to the August recess.

ORDER FOR ADJOURNMENT

Mr. LOTT. Mr. President, if there is no further business to come before the Senate, I now ask that the Senate stand in adjournment under the provisions of H. Con. Res 297, following the remarks of Senator GORTON of Washington.

I yield the floor.

The PRESIDING OFFICER. The Chair recognizes the Senator from Washington.

THE BATTLE AGAINST MICROSOFT

Mr. GORTON. Mr. President, my colleague, the senior Senator from Utah came to the Senate floor earlier today to continue his lonely and increasingly unsuccessful battle against Microsoft. His statement comes one day after the successful release of Microsoft's latest operating system software, Windows 98, and only three days after Microsoft won a major victory in a ruling by a three-judge panel of the Circuit Court of Appeals for the District of Columbia.

Senator HATCH said this morning that he is disappointed that Microsoft ''has regrettably seen fit to deploy a massive PR campaign, as opposed to engaging the American public on the basis of the facts and the merits.''

I find Senator HATCH's comments interesting, given that the appeals court panel took a long hard look at the very facts that Senator HATCH and the Department of Justice claim Microsoft is hiding and ruled that Microsoft's integration of Internet Explorer in Windows 95 is not a violation of U.S. antitrust law or of the 1995 consent decree. The ruling is significant because it covers the same issue that is the central focus of the Justice Department's current case against Microsoft—whether Microsoft can innovate by integrating new products, namely Internet Explorer, into Windows 98.

The Senator from Utah and the Department of Justice would have barred Windows 98 in its present form, frustrating millions of potential customers and imposing a major roadblock—the first major roadblock—in the way of the continuing triumph of American technology in this most cutting edge of all of our industries.

So Senator HATCH, instead, announced that his Judiciary Committee will examine those facts even further, in the hope, apparently, of finding something that the appeals court missed, or, as he explains in his statement, of finding a new issue with which to attack Microsoft.

The proper course of action would be precisely the opposite—the abandonment by both the Department of Justice and the chairman of the Judiciary Committee of an unsuccessful and wrongly directed crusade against the advancement of American technology.

I believe we are now relatively assured that the Department of Justice will not get the extra $7 million above the President's budget request that it asked for to pursue just this course. These actions are a waste of the taxpayers' money and represent the use of the taxpayers' money for the pursuit of private antitrust remedies which, if they are appropriate at all, should be financed by the competitors who seek them.

Regrettably, Mr. President, Senator HATCH and the Department of Justice are little interested in the facts or merits of the case but purely interested in bringing the most successful software company in the Nation to its knees, so that less successful, less competitive companies, that do not have the ability to succeed on their own, can do so with the help of the Clinton administration's Justice Department aided and abetted by the senior Senator from Utah.

Senator HATCH also discussed the release of a paper this week by the Software Publisher's Association attacking Microsoft's server business. Interestingly enough, this paper was released just 10 days after Microsoft's biggest competitor in the server business, Sun Microsystems, joined the Association.